ESTTA Tracking number:

ESTTA417348 06/30/2011

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91199603
Party	Plaintiff Lance Armstrong Foundation
Correspondence Address	Heather A. Dunn, Esq. DLA Piper LLP (US) 555 Mission Street, Suite 2400 San Francisco, CA 94105 UNITED STATES tmfilings@dlapiper.com, dash.mclean@dlapiper.com, christina.yates@dlapiper.com
Submission	Withdrawal of Opposition
Filer's Name	Christina D. Yates
Filer's e-mail	sdtrademark@dlapiper.com
Signature	/cdyates/
Date	06/30/2011
Attachments	Withdrawal of Opposition 91199603.pdf ( 2 pages )(29920 bytes )

In Re Application No. 85/093,250

Filed: July 26, 2010

Published: January 11, 2011

Mark: BORN STRONGER ATHLETICS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Lance Armstrong Foundation	) Opposition No.: 91199603
Opposer,	) ) ) ) ) WITHDRAWAL OF OPPOSITION )
v.	
C7 Brands, LLC,	<b>)</b>
Applicant.	) )

## WITHDRAWAL OF OPPOSITION, WITHOUT PREJUDICE, WITH CONSENT

Pursuant to TBMP § 601, 37 C.F.R. § 2.106(c) and the Settlement Agreement entered into by the parties resolving this matter, Opposer Lance Armstrong Foundation, hereby withdraws without prejudice Opposition No. 91199603 against Serial No. 85/093,250 for the mark BORN STRONGER ATHLETICS. Opposer has secured the consent of Applicant by way of a Settlement Agreement dated June 29, 2011.

In Re Application No. 77/782,193

Filed: July 15, 2009 Published: April 6, 2010 Mark: BE STRONG

Dated: June 30, 2011

DLA PIPER LLP (US)

Christina D. Yates

Nancy O. Dix

401 B. Street, Suite 1700 San Diego, CA 92101

Telephone: (619) 699-2921

Paul A. McLean 2000 University Avenue East Palo Alto, CA 94305-2241 Telephone: (650) 833-2373

Attorneys for Opposer LANCE ARMSTRONG FOUNDATION

## **CERTIFICATE OF SERVICE**

I do hereby certify that the foregoing WITHDRAWAL OF OPPOSITION, WITH CONSENT was served on Applicant through Applicant's counsel, per agreement between the parties, via electronic mail addressed to Applicant's counsel at:

GREGORY B. PHILLIPS KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET, 14TH FLOOR IRVINE, CA 92614 EFILING@KMOB.COM

this 30th day of June 2011,

By: